

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1, 3, and 25 are pending in the present application. Claims 1, 3, and 25 are the independent claims.

Claims 1, 3, and 25 have been amended. No new matter is believed to have been added.

Claims 1, 3, and 25 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,540,337 (Pollard). All rejections are respectfully traversed.

Independent claims 1 and 3 recite, inter alia, an ink supply passage which penetrates the substrate, extends beyond the substrate, and which is connected to the ink chambers.

Independent claim 25 recites, inter alia, a protective layer formed on at least one heater and an ink supply opening extending through a substrate and the protective layer.

However, Applicants respectfully submit that Pollard does not teach at least the aforementioned features of independent claims 1, 3, and 25.

Pollard relates to slotted substrates and methods and systems for forming the same and discusses a print cartridge including a substrate 610 having slots 604a-604c connecting a quantity of fluid 602 to ink chambers 622. (Pollard, FIGS. 6 and 8). The print cartridge also includes heaters 614 in the ink chambers. (Pollard, FIG. 6). FIG. 8 of Pollard illustrates an alternative embodiment in which a slot 604f extends through the substrate and includes a first portion at a first surface 610d of the substrate of a width greater than the width (w1) of a second portion 612d of the substrate. However, even assuming arguendo that the Office Action's characterization of the slot 604a as an ink supply passage is not incorrect, slot 604a does not extend beyond the substrate as recited in independent claims 1 and 3. Also, absent from Pollard is any teaching of a protective layer over the heaters as recited in independent claim 25. Thus, Pollard cannot anticipate independent claims 1, 3, and 25, as amended.

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 1, 3, and 25 under 35 U.S.C. § 102 are respectfully requested.

Lastly, it is respectfully submitted that one of ordinary skill in the art would not be motivated to modify Pollard to include a protective layer over a heater at least because:

(1) Pollard does not suggest the desirability of such modification. (See Manual of Patent

Examining Procedure, § 2143.01 ("the prior art must suggest the desirability of the claimed invention"); and

(2) the fact that Pollard might be modifiable to include a protective layer is not sufficient to establish prima facie obviousness (MPEP § 1243.01).

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.

There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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